



Docket No. BW-DKT03085

**DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

As a below-named inventor, I hereby declare that:

- My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint Inventor of the subject matter which is claimed and for which a patent is sought on the Invention entitled " CAMSHAFT INCORPORATING VARIABLE CAMSHAFT TIMING PHASER ROTOR ", the specification of which

[    ] is attached hereto

[ X ] was filed on 08/27/2003 as  
[ X ] United States Application Number 10/649,060  
[    ] PCT International Application Number

- I hereby state that I have reviewed and understand the contents of the above-identified application, including the claims and the drawing.
- I acknowledge the duty to disclose information which is material to patentability, as defined in 37 CFR §1.56. If this application claims priority from a prior application, I acknowledge the duty to disclose information which is material to patentability, as defined 37 CFR §1.56, which became available between the filing date of the prior application and the date of this application.
- As to the subject matter of this application:
  - a. I do not know and do not believe that the same was ever known or used in the United States of America before my invention thereof;
  - b. I do not know and do not believe that the same was ever patented or described in any printed publication in any country before my invention thereof, or more than one year prior to the date of this application;
  - c. I do not know and do not believe that the same was in public use or on sale in the United States of America more than one year prior to the date of this application; and
  - d. Said subject matter has not been patented or made the subject of an inventor's certificate issued in any country foreign to the United States of America on an application filed by me or my legal representative or assigns more than twelve months prior to the date of this application.

**Please associate this application with USPTO Customer Number 32175**

I hereby appoint the registered attorneys and agents associated with USPTO Customer Number 32175 to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

- Address all telephone calls to Frank F. Tian at telephone number 607-256-2000.
- Fax communications should be sent to telephone number 607-256-3628.
- E-mail communications should be addressed to: tian@bpmlegal.com.

"Recognizing that Internet communications are not secured, I hereby authorize the PTO to communicate with me concerning any subject matter of this application by electronic mail. I understand that a copy of these communications will be made of record in the application file"

- Address all correspondence to USPTO Customer Number 32175.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first joint Inventor: David C. White  
Residence: Dryden, New York 13053  
Citizenship: US  
Post Office Address: 16 Lake Road, Dryden, New York 13053

David C. White July 13, 2004  
David C. White Date

Full name of second joint Inventor: Philip J. Mott  
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Citizenship: US  
Post Office Address: 1 Kimberly Circle, Dryden, New York 13053

Phil Mott July 13, 2004  
Phil Mott Date

Full name of third Inventor: Franklin R. Smith  
Residence: Cortland, New York 13045  
Citizenship: US  
Post Office Address: 3736 Hedgemoor Drive, Cortland, New York 13045

Franklin R. Smith July 13, 2004  
Franklin R. Smith Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: David White

Serial No. 10/649,060

Filed: 08-27-2003

For: CAMSHAFT INCORPORATING VARIABLE CAMSHAFT TIMING PHASER  
ROTOR

Examiner: RIDDLE, KYLE M

Art Unit: 3748

Attorney Docket No.: BW-DKT03085

HONORABLE COMMISSIONER OF PATENTS

Alexandria, VA 22313-1450

**STATEMENT (A)**

I hereby state that Franklin R. Smith is being added due to a mistake in filing and that the error occurred without deceptive intention.

Full name of first joint Inventor: David C. White  
Residence: Dryden, New York 13053  
Citizenship: US  
Post Office Address: 16 Lake Road, Dryden, New York 13053

David C. White July 13, 2004  
David C. White Date

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Residence: Dryden, New York 13053  
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Post Office Address: 1 Kimberly Circle, Dryden, New York 13053

Phil Mott July 13, 2004  
Phil Mott Date

Full name of third Inventor: Franklin R. Smith  
Residence: Cortland, New York 13045  
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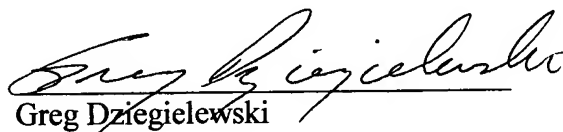
Attorney Docket No.: BW-DKT03085

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**WRITTEN ASSENT OF THE ASSIGNEE(C)**

I hereby state that Franklin R. Smith is being added due to a mistake in filing and that the error occurred without deceptive intention. Further, I hereby state that I have the authority to act on behalf of the assignee, BorgWarner, Inc., a Corporation of Delaware, having, currently, a place of business at Powertrain Technical Center, 3800 Automation Avenue, Suite 100, Auburn Hills, MI 48326-1782,

  
Greg Dziegielewski

7/13/04  
Date